

**IN AND FOR THE CITY OF BROOKINGS**  
**STATE OF OREGON**  
**ORDINANCE 16-O-762**

**IN THE MATTER OF ORDINANCE 16-O-762, AN ORDINANCE AMENDING SECTION 17.104.030 OF CHAPTER 17.104, HOME OCCUPATIONS AND AMENDING SECTION 17.124.140 OF CHAPTER 17.124, SPECIFIC STANDARDS APPLYING TO CONDITIONAL USES, TITLE 17, LAND DEVELOPMENT CODE, OF THE BROOKINGS MUNICIPAL CODE.**

Sections:

- Section 1. Ordinance Identified.
- Section 2. Amends Section 17.104.030.
- Section 3. Amends Section 17.124.140.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Section 17.104.030 of Chapter 17.104 Home Occupations, and Section 17.124.140 of Chapter 17.124 Specific Standards Applying to Conditional Uses, Title 17, Land Development Code, of the Brookings Municipal Code.

Section 2. Amends Section 17.104.030. Section 17.104.030 is amended to read as follows:

**17.104.030 Criteria.**

The home occupation proposal must conform to the following criteria:

- A. The activity must be conducted entirely within the dwelling, garage, or accessory structure.
- B. The activity must be conducted only by persons residing in the dwelling.
- C. The outward residential appearance of all buildings must be preserved, and the use is clearly incidental and secondary to the use of the dwelling for residential purposes.
- D. Not more than 50 percent of the floor area of the individual dwelling unit may be utilized for the intended purposes. Any part of a garage or accessory structure may be used provided off-street parking requirements are met.
- E. No merchandising or sale of commodities may be conducted on the premises, except such as is produced by the occupants on the premises.
- F. A sign may be maintained in conjunction with the home occupation activity, provided it is nonlighted, indicates only the name and trade of the property owner, and is no greater than two square feet in area.

G. With the exception of the bed and breakfast in 17.104.030(J), the use requires no additional off-street parking spaces.

H. There shall be no emission of odorous, toxic, noxious matter nor any use causing electrical or telecommunication interference, vibration, noise, heat or glare in such quantities as to be readily detectable at any point along or outside property lines of a home occupation so as to produce a public nuisance or hazard.

I. Proof of a current business license unless exempt must be provided.

J. A bed and breakfast limited to the rental of one bedroom in an owner-occupied single-family residence may be approved as a home occupation. A breakfast meal may be served during the a.m. hours only. One off-street parking space in addition to two spaces for the homeowner shall be provided. A transient room tax will be applied pursuant to Chapter 3.10 BMC.

Section 3. Amends Section 17.124.140. Section 17.124.140 is amended to read as follows:

**17.124.140 Bed and breakfast facilities.**

“Bed and breakfast” means the rental of more than one bedroom in an owner-occupied single-family residence where a breakfast meal may be served during the a.m. hours only. All residences proposed for bed and breakfast accommodations shall provide one off-street parking space per rental unit in addition to two spaces for the owner. In terms of eligibility and acceptability, preference will be given by the planning commission to residences applying for bed and breakfast accommodations which display significant architectural or historic character and quality. The property owner shall obtain a business license from the City of Brookings. A transient room tax will be applied pursuant to Chapter 3.10 BMC.

First Reading: November 14, 2016 Passage: November 14, 2016  
Second Reading: November 14, 2016 Effective Date: December 13, 2014

signed by me in authentication of its passage this 17<sup>th</sup>, day of November, 2016

Ron Hedenskog  
Mayor Ron Hedenskog

ATTEST:  
Teri Davis  
City Recorder Teri Davis